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3 Sue CIA Letter Snoops on Mail to Soviet

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The Central Intelligence Agency's former practice of opening letters sent by private citizens to the Soviet Union came back to haunt the spy organization yesterday.

Three persons who charged that CIA agents had opened their mail in violation of their constitutional rights brought suit in Brooklyn Federal Court seeking compensatory damages.

The suit was filed against "The United States of America, the director of the Central Intelligence Agency and unknown agents of the CIA."

Norman Birnbaum, a sociology professor at Amherst College, in Am-

herst, Mass., is seeking \$50,000 in damages. Leonard Avery, a Minneapolis advertising executive, and Mary Rule MacMillen, a writer, are seeking \$20,000 each.

In addition to violation of their constitutional rights, the plaintiffs are claiming unlawful search and seizure, invasion of their right of privacy, right of freedom of speech and right to control materials.

The existence of a secret surveillance project by the CIA was revealed during hearings of the Senate Select Intelligence Committee in 1975.

The committee's chairman, Sen. Frank Church (D-Idaho), said that CIA agents, operating out of Kennedy Airport, had opened more than 200,000 pieces of mail and intercepted and photographed 2.7 million envelopes sent to and from the Soviet Union from 1953 to 1973.

The CIA's mail surveillance program was discontinued in 1973.

Birnbaum, Avery and MacMillen queried the CIA about letters they had written to the Soviet Union and the U.S. attorney has acknowledged that the CIA made copies of their letters.

Birnbaum said that in 1970 he sent letters to a Russian professor containing copies of other letters from professional associates relating to a convention of sociologists in the United States.

Avery sued over a letter that he sent to his son, Michael, then studying at Moscow State University.

The contents of the intercepted letter sent by Miss MacMillen in 1973 — just nine days before the CIA ended its program — were not revealed in the suit. However, it was described as addressed to a "well-known Soviet person."

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